IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FIRST DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 81 of 2001

Between:

1. M/S Balaji Lockers Benefit Fund Ltd., Rep.By its Managing Director, Smt.Lakshmi Parthasarathy, W/o Parthasarathy, 16-559, Ramamurthy Nagar, Nellore - 524 001.
2. V.Parthasarathy, S/o Laxmi Narasimha Charyulu, Balaji Lockers Benefit Fund Ltd., 16-559, Ramamurthy Nagar, Nellore - 524 001.

..... PETITIONERS

AND

1 Union of India, Rep. by its Secretary, Ministry of Consumer Affairs, Civil and Food, New Delhi.
2 The Government of Andhra Pradesh, Rep.By its Principal Secretary, Food & Agriculture, A.P.Secretariat, Hyderabad - 500 022.
3 D.Devadanam, aged 46 years, R/o. 16/3/365/- A, Mutyalapalem, Nellore District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ or order or orders or directions particularly in the nature of Writ of Mandamus calling for the records pertaining to the C.D.No.737 of 1999 on the file of the District Consumer Forum at Nellore and also declare the Section 27 of the Consumer Protection Act, 1989 as illegal, arbitrary, contrary to the provisions contemplated under the Criminal procedure Code, 1973, violative of Articles 20 & 21

of the constitution of natural justice, besides discriminative in nature and consequently set aside the orders passed by the District Consumer Forum in the aforesaid C.Ds and punish the respondents in the interest of justice and pass such other order or orders of directions as this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.M.V.RAJA RAM

Counsel for the Respondent No.1: STANDING COUNSEL FOR CENTRAL GOVERNMENT

Counsel for the Respondent No.2: G.P. FOR CIVIL SUPPLIES.

Counsel for the Respondent No.3: MR.M.V.S. SURESH KUMAR

The Court made the following:

O R D E R: (Per Hon'ble Sri Justice B.Sudershan Reddy)

The subject matter that arises for consideration in this Writ Petition is squarely covered by the decision rendered by a Full Bench of this Court in ***C.V.RATNAM*** v. ***UNION OF INDIA AND OTHERS***.

Following the said judgment, this Writ Petition shall stand dismissed without

any order as to costs.

_____

B.SUDERSHAN REDDY, J.

_____

K.C.BHANU, J.

Dated: 01.11.2004

gs/ks

To

1 The Secretary, Union of India ,
Ministry of Food and Consumer Affairs, New Delhi.
2 The Principal Secretary, Government of A.P.,
Food & Agriculture, A.P. Secretariat,
Hyderabad-500 022.

3 The Registrar, State Commission of Consumer Redressal Forum, A.P., Khiratabad, Hyderabad.
4 2 CCs to the G.P. for Civil Supplies, High Court of A.P., Hyderabad (OUT)

5. Two CD Copies.